

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

|   |   |                     |
|---|---|---------------------|
| <b>BERNIE BROWN,</b>                    | : |                     |
|   | : |                     |
| <b>Petitioner,</b>                      | : | <b>CIVIL ACTION</b> |
|   | : |                     |
| <b>v.</b>                               | : | <b>NO. 19-1346</b>  |
|   | : |                     |
| <b>SUPERINTENDENT DELBALSO, et al.,</b> | : |                     |
|   | : |                     |
| <b>Respondents.</b>                     | : |                     |

**ORDER**

**AND NOW**, this 22nd day of November 2021, upon careful and independent consideration of the Petition for a Writ of Habeas Corpus (ECF No. 2), the Philadelphia County’s District Attorney’s Response (ECF No. 13), and after review of the Report and Recommendation of United States Magistrate Judge David R. Strawbridge (ECF No. 15), and Petitioner’s Objections to the Report and Recommendation (ECF No. 16), **IT IS HEREBY ORDERED AND DECREED** that:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**;
2. The Petition for Writ of Habeas Corpus is **DENIED** with prejudice;
3. There is no probable cause to issue a certificate of appealability; and
4. The Clerk of the Court shall mark this case **CLOSED** for statistical purposes.

**BY THE COURT:**

/s/ **Petrese B. Tucker**

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**Hon. Petrese B. Tucker, U.S.D.J.**